



VOSH Program Directive: 12-230 (e-version)

ISSUED: August 18, 1988

SUBJECT: Standard Concerning Safety Testing or Certification of Certain Workplace Equipment and Materials

A. Purpose.

This directive transmits the Standard Concerning Safety Testing or Certification of Certain Workplace Equipment and Materials to field personnel.

B. Scope.

This directive applies to all VOSH Personnel and specifically to occupational safety enforcement and voluntary compliance personnel.

C. Action.

The Assistant Commissioner and VOSH Enforcement personnel shall assure that employers comply with the requirements of the standard. The effective date is September 19, 1988.

D. Background.

On April 12, 1988, Federal OSHA published in the Federal Register the Standard Concerning Safety Testing or Certification of Certain Workplace Equipment and Materials: Deletion of Specific Testing Laboratory; Determination of Eligible Testing Organizations; 29 CFR 1910.7, 1910.28, 1910.35, 1910.103, 1910.106 to 1910.111, 1910.155, 1910.178, 1910.180, 1910.181, 1910.251, 1910.265, 1910.266, and 1910.399, [Hereinafter referred to as "Safety Testing or Certification of Certain Workplace Equipment and Materials"], as published in the Federal Register on April 12, 1988 (53 Fed. Reg. 12102).

Federal Regulations 29 CFR 1953.23(a)(2) and (b) require Virginia to adopt within six months changes to Federal standards in verbatim or to promulgate equivalent changes which are at least as effective as the Federal change. The Virginia Code reiterates this requirement in Section 40.1-22(5).

Pursuant to §40.1-22(5), the Virginia Safety and Health Codes Board adopted the Standard Concerning Safety Testing or Certification of Certain Workplace Equipment and Materials on July 11, 1988.

E. SUMMARY OF THE FEDERAL CHANGE.

The standard deletes "the names of Underwriter's Laboratories, Inc. (UL) and Factory Mutual Research Corporation (FMRC) from 23 testing related standards provisions in the OSHA 'general industry' standards (29 CFR 1910). Generally, the Agency is substituting the term 'nationally recognized testing laboratory' (NRTL) and is providing a new definition for this previously undefined term. Additional minor terminology changes are also being made." (53 Fed. Reg. 12102). "This rule also provides a

mandatory procedure for a testing organization to be recognized as a nationally recognized testing laboratory (NRTL) by OSHA. This procedure will replace 29 CFR Part 1907 which has remained unimplemented since its promulgation in 1973. This new mandatory procedure includes public review of an applicant's operations against the NRTL definitional criteria." (53 Fed. Reg. 12102)

E-ATTACHMENT: Standard Concerning Certification of Certain Workplace Equipment and Materials
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGIS TER&p_id=12801&p_text_version=FALSE

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Carol Amato
Commissioner

AMENDMENT CONCERNING SERVICING OF SAFETY TESTING OR CERTIFICATION OF CERTAIN
WORKPLACE EQUIPMENT AND MATERIALS: DELETION OF SPECIFIC TESTING LABORATORY
NAMES; DEFINITION OF NATIONALLY RECOGNIZED TESTING LABORATORY; DETERMINATION
OF ELIGIBLE TESTING ORGANIZATIONS

AS ADOPTED BY

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH CODES BOARD

Date: July 11, 1988



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: September 19, 1988

Definition and Requirements for a Nationally Recognized Testing Laboratory, 1910.7 (425-02-39)

Safety Requirements for Scaffolding, 1910.28 (425-02-40)

Means of Egress, 1910.35 (425-02-41)

Hydrogen, 1910.103 (425-02-42)

Flammable and Combustible Liquids, 1910.106 (425-02-17)

Spray Finishing Using Flammable and Combustible Materials, 1910.107 (425-02-43)

Dip Tanks Containing Flammable or Combustible Liquids, 1910.108 (425-02-44)

Explosives and Blasting Agents, 1910.109 (425-02-44)

Storage and Handling of Liquefied Petroleum Gases, 1910.110 (425-02-46)

Storage and Handling of Anhydrous Ammonia, 1910.111 (425-02-47)

Scope, Application and Definitions Applicable to this Subpart [Fire Protection], 1910.155 (425-02-48)

Powered Industrial Trucks, 1910.178 (425-02-49)

Crawler, Locomotive and Truck Cranes, 1910.180 (425-02-20)

Derricks, 1910.181 (425-02-21)

Definitions [Welding, Cutting and Brazing], 1910.251 (425-02-50)

Sawmills, 1910.265 (425-02-51)

Pulpwood Logging, 1910.266 (425-02-52)

Definitions Applicable to This Subpart (Electrical), 1910.399 (425-02-60)

When the regulations as set forth in the amendment concerning Safety Testing or Certification of Certain Workplace Equipment and Materials: Deletion of Specific Testing Laboratory Names; Definition of Nationally Recognized Testing Laboratory: Determination of Eligible Testing Organizations, 1910.7, 1910.28, 1910.35, 1910.103, 1910.106 to 1910.111, 1910.155, 1910.178, 1910.180, 1910.181, 1910.251, 1910.265, 1910.266, 1910.399; are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below.

FEDERAL TERMS

VOSH EQUIVALENT

All terms in this Amendment shall be read as given.